

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LOUIE CARBAJAL, et al.,

Plaintiffs,

vs.

No. CIV 98-0279 MV/DJS

ALBUQUERQUE PUBLIC SCHOOL DISTRICT,

Defendant,

vs.

DEBORAH BURCIAGA, et al.

Defendant-Intervenors and
Cross-Claimants.

**AMENDED JOINT MOTION TO
MODIFY SETTLEMENT AGREEMENT**

Defendant and Defendant-Intervenors respectfully submit this amended motion to modify settlement agreement. The parties have agreed and stipulate that paragraph 8 of the settlement agreement between them should be modified to state as follows:

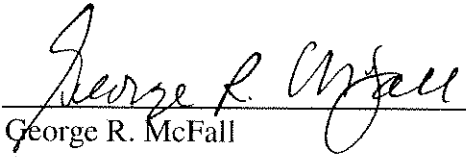
This Agreement shall expire September 30, 2004, unless Defendant-Intervenors file a motion for enforcement of the terms of this Agreement with the Court on or before the date of expiration. Before bringing any such motion to enforce compliance, Defendant-Intervenors, through their undersigned attorneys will use good faith efforts to resolve any disputes with APS. The Defendant-Intervenors had dismissed their claims with prejudice and now rely on this Agreement regarding resolution of their claims.

The grounds for this motion are set out in the previously filed joint motion and supporting memorandum (doc. 194 and 195).

WHEREFORE, Defendant and Defendant-Intervenors request that the Court grant this motion and order that the settlement agreement between the parties shall be amended as set forth above.

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: _____


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